

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JASON THOR LEONARD,  
Plaintiff,

v.

CALIFORNIA STATE PRISON  
SACRAMENTO et al.,  
Defendants.

No. 2:22-cv-1231 WBS DB P

ORDER

Plaintiff, a former inmate proceeding pro se, filed this pro se civil rights action pursuant to 42 U.S.C. § 1983. By order filed June 2, 2023, the court found that plaintiff's first amended complaint adequately stated an Eighth Amendment claim that defendants failed to protect him from another inmate. (ECF No. 12 at 3.) It also granted his application to proceed in forma pauperis. (Id.)

Additionally, the court directed plaintiff to submit to the United States Marshal two properly completed USM-285 forms, a properly completed summons form, and the number of copies of the endorsed first amended complaint (ECF No. 10) and of the June 2, 2023 order required by the United States Marshal. (ECF No. 12 at 4.) He was further directed to file with the court a declaration stating the date on which plaintiff submitted the required documents to the United States Marshal, no later than ten days after submitting the required materials to the United

1 States Marshals Service. (Id.) The United States Marshal was directed to serve process on the  
2 defendants within thirty days of receipt of the required materials. (Id.)

3 That portion of the order directing plaintiff to submit the required materials to the United  
4 States Marshal, and directing the United States Marshal to serve process on defendants, was  
5 issued in error. Accordingly, the court's June 2, 2023 (ECF No. 12) order is partially vacated.

6 IT IS HEREBY ORDERED that the court's June 2, 2023 order (ECF No. 12) is vacated in  
7 part as to service. A new service order shall issue separately.

8 Dated: July 25, 2023

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DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

12 DB: 15

13 DB/DB Prisoner Inbox/Civil Rights/R/leon1231.vac service order  
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